UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,182	08/02/2001	Gregory Maurice Plow	STL920000035US1	7553

7590   07/29/2003

John L. Rogitz
Rogitz & Associates
Suite 3120
750 B Street
San Diego, CA   92101

EXAMINER
MAMMEN, NATHAN SCOTT

ART UNIT	PAPER NUMBER
3671	

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

ᔑᔑ

Office Action Summary

Application No.	Applicant(s)
09/922,182	PLOW ET AL.
Examiner	**Art Unit**	
Nathan S Mammen	3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .   6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Landsman et al.

(U.S. Patent 6,317,761).

The Landsman '761 patent discloses a method for storing and viewing Internet

advertisements. The method comprises receiving plural Internet advertisements (col. 9, lines 56-

58), with at least one Internet advertisement including a tag (col. 9, line 64), and saving (col. 10,

lines 12-24) the advertisements at the user computer at least partially based on the tag.

Regarding claims 2-6: The tag is a HTML tag (col. 9, line 64). The Landsman '761 patent

discloses that the advertisements are viewed using browser software such as INTERNET

EXPLORER or NETSCAPE (col. 16, lines 34-39); thus, the method inherently comprises

displaying the button in response to toggled buttons, allowing the user to scroll through the

advertisements, and displaying a "previous" and "next" button and accessing the advertisements

in response to the toggling of these buttons since these are notoriously inherent functions of the

aforementioned browser software. The saved advertisement also has a link to a website, and the

website is accessed when the link on the advertisement is toggled (col. 17, lines 27-36).

Regarding claims 7- 19: The Landsman '761 patent discloses a system for accomplishing the above method. The system includes a server (13, 15, 20), a database (15) connected to the server and storing advertisements, and a user computer (5) connected to the server via the Internet. The server transmits the Internet advertisements to the user computer (5). The user computer includes a program ("AdController" – col. 16, lines 56-60) for saving the Internet advertisements at least partially based on the tag. The program ("AdController") includes logic means for receiving and saving the Internet advertisements. As stated above, program utilizes browser software (7) such as INTERNET EXPLORER or NETSCAPE (col. 16, lines 36-39); thus, the program inherently comprises logic means for displaying the button in response to toggled buttons, allowing the user to scroll through the advertisements, and displaying a "previous" and "next" button and accessing the advertisements in response to the toggling of these buttons since these are notoriously inherent functions of the aforementioned browser software.

Regarding claims 20-22: The method of viewing inherently comprises functions of the browser software (7).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barnett et al. (U.S. Patent 6,336,099) discloses a method and system for electronically distributing product redemption coupons to personal computers from a central database (see Abstract and Fig. 1). Krishan et al. (U.S. Patent 6,442,529) discloses a method and system for displaying downloaded advertisements on a users computer while the user is waiting to establish
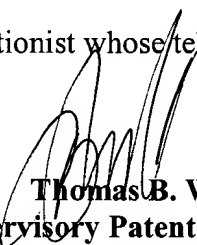
an Internet connection (see col. 3, lines 46-62 and Figs. 7 and 8). Roskowski (U.S. Patent

6,212,554) discloses a method for saving and displaying advertisements on a users computer

after the user has completed another task (see col. 8, line 9-64). Mankoff (U.S. Patent 6,385,591)

discloses saving and organizing electronic coupons on a user's computer and PDA (see

Abstract). McCollom et al. (U.S. Patent 6,343,274) discloses a method for allowing a consumer

to subscribe to desired advertisements (see Abstract).

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nathan Mammen whose telephone number is (703) 306-5959.

The examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas B. Will, can be reached at (703) 308-3870. The fax number for this Group is

(703) 305-3579.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-1113.

Thomas B. Will
Supervisory Patent Examiner
Group 3600

NSM
7/21/03

Nathan S. Mammen